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Summary record of the 52nd meeting
Held at Headquarters, New York, on Friday, 15 March 2002, at 5 p.m.

Chairman Mr. Effah-Apenteng ..... (Ghana)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

Contents

Agenda item 121: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and regulations governing the status, basic rights and duties of the Secretary-General (*continued*)

Agenda item 122: Programme budget for the biennium 2000-2001 (*continued*)

Construction of office space facilities at the Economic Commission for Africa (*continued*)

Integrated Management Information System (*continued*)

Agenda item 123: Proposed programme budget for the biennium 2002-2003 (*continued*)

Estimates in respect of matters of which the Security Council is seized (*continued*)

Utilization of the provision for special political missions under section 3, Political affairs

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Programme budget implications of draft resolution A/C.3/56/L.84/Rev.1: Comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (*continued*)

The meeting was called to order at 5.35 p.m.

Agenda item 121: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and regulations governing the status, basic rights and duties of the Secretary-General (*continued*) (A/C.5/56/L.45)

Draft resolution A/C.5/56/L.45

1. **Mr. Orr** (Canada), Vice-Chairman, introduced draft resolution A/C.5/56/L.45.

2. *Draft resolution A/C.5/56/L.45 was adopted.*

Agenda item 122: Programme budget for the biennium 2000-2001 (*continued*)

Construction of office space facilities at the Economic Commission for Africa (*continued*) (A/C.5/56/L.43)

Draft resolution A/C.5/56/L.43

3. **Mr. Wins** (Uruguay), Rapporteur, introduced draft resolution A/C.5/56/L.43.

4. *Draft resolution A/C.5/56/L.43 was adopted.*

Integrated Management Information System (*continued*) (A/C.5/56/L.46)

Draft resolution A/C.5/56/L.46

5. **Mr. Lenefors** (Sweden) introduced draft resolution A/C.5/56/L.46 on behalf of the Chairman.

6. *Draft resolution A/C.5/56/L.46 was adopted.*

Agenda item 123: Proposed programme budget for the biennium 2002-2003 (*continued*)

Estimates in respect of matters of which the Security Council is seized (*continued*) (A/C.5/56/L.48)

Draft resolution A/C.5/56/L.48

7. **Mr. Bhattarai** (Nepal), Vice-Chairman, introduced draft resolution A/C.5/56/L.48.

8. *Draft resolution A/C.5/56/L.48 was adopted.*

Utilization of the provision for special political missions under section 3, Political affairs (A/C.5/56/39)

9. **The Chairman** drew attention to the note by the Secretary-General on the utilization of the provision for special political missions under section 3, Political affairs (A/C.5/56/39).

10. In the light of the adoption of draft resolution A/C.5/56/L.48, he took it that the Committee wished to take note that an unallocated balance of $34,303,300 remained against the provision of $98,338,700 for special political missions for 2002-2003.

11. *It was so decided.*

Programme budget implications of draft resolution A/C.3/56/L.84/Rev.1: Comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (*continued*) (A/56/869; A/C.5/56/38; A/C.5/56/L.49)

Draft decision A/C.5/56/L.49

12. **The Chairman** recalled that the Committee had begun its consideration of the programme budget implications of draft resolution A/C.3/56/L.84/Rev.1 at its 50th meeting and had decided to refer the matter to informal consultations. At its 51st meeting, however, the representative of Cuba, in her capacity as coordinator of the Group of 77 and China for Fifth Committee matters, had introduced draft decision A/C.5/56/L.49.

13. **Mr. Kendall** (Argentina), speaking as coordinator of the informal consultations, said that it had not been possible to achieve a consensus text on the programme budget implications of draft resolution A/C.3/56/L.84/Rev.1.

14. **Ms. Silot Bravo** (Cuba), speaking as coordinator of the Group of 77 and China for Fifth Committee matters, urged the Committee to take action on the draft decision before it.

15. **Mr. Soto Gúrpide** (Spain), speaking on behalf of the European Union, requested a brief suspension of the meeting to enable his delegation to finalize the text of an amendment to the draft decision.

16. **The Chairman** pointed out that the Secretariat would be unable to provide conference services after 6.10 p.m.

17. **Mr. Nakkari** (Syrian Arab Republic) said that it was difficult to believe that it was not actually possible to provide conference services. Rather, it appeared that delegations were being held hostage to the Secretariat's whims. The situation was suspicious. In any case, it was not acceptable that the Committee should be forced either to conclude its work at 6.10 p.m. or to continue without interpretation.

18. **Ms. Silot Bravo** (Cuba), speaking as coordinator of the Group of 77 and China for Fifth Committee matters, expressed the hope that the Committee would continue to be provided with conference services until such time as it had completed its work.

19. **The Chairman** said that note had been taken of the concerns expressed.

The meeting was suspended at 5.55 p.m. and resumed at 6 p.m.

20. **Mr. Soto Gúrpide** (Spain), speaking on behalf of the European Union, proposed the insertion of the words "subject to this decision" after the words "endorses the recommendations of the Advisory Committee" that began in the penultimate line of the first paragraph, and the insertion of the following text at the beginning of paragraph (a):

> "Decides to recommend to the General Assembly to approve neither the funds requested for the expenses related to regional meetings as described in paragraphs 3 (a) (i) and 3 (c) of document A/C.5/56/38, nor the related proposed changes in the narrative of section 22 and".

21. He pointed out that, should the amendment be adopted, it would be necessary to revise the dollar amounts specified in the draft decision.

22. **Mr. Kennedy** (United States of America) proposed the insertion of the words "subject to paragraph (c) below" after the words "recommends to the General Assembly to authorize" in the first line of paragraph (b), and the addition of the following paragraph:

> "(c) Decides, pending submission of the report of the Office of Internal Oversight Services on the review of the budget and management practices of the Office of the United Nations High Commissioner for Human Rights, as requested in General Assembly resolution 56/253, to defer consideration of this item."

23. **Ms. Silot Bravo** (Cuba), speaking as coordinator of the Group of 77 and China for Fifth Committee matters, said that, while her delegation had no objection to the amendment proposed by the representative of Spain, it could not endorse the United States proposal, which had not even been considered in the informal consultations. Her delegation would be forced to request a separate recorded vote on the amendment if the representative of the United States insisted on its inclusion in the draft decision.

24. **Mr. Kennedy** (United States of America) said that it was his understanding that the Committee took decisions by consensus. Given the limited time available, action on the draft decision should be deferred until a fuller discussion was possible.

25. **Mr. Kumalo** (South Africa) said that, as the representative of the country that had hosted the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, he knew that the issues discussed had been very difficult for many delegations. He was grateful for the Spanish amendment, which had been proposed in a constructive spirit and with a view to finding a way forward; the United States amendment, on the other hand, had come as a surprise. The Committee should take action on the draft decision immediately, even if a recorded vote was necessary. His delegation had been very flexible, and he regretted that it had not been possible to achieve a consensus.

26. **Mr. Kennedy** (United States of America) said that, in the interests of harmony, his delegation would withdraw its amendment.

27. *Draft decision A/C.5/56/L.49, as orally amended, was adopted.*

28. **Mr. Kennedy** (United States of America) said that his delegation wished to dissociate itself from the consensus on the draft decision for the reasons it had set out in its statement in the Third Committee on draft resolution A/C.3/56/L.84/Rev.1.

29. **Mr. Adam** (Israel) said that his delegation also wished to dissociate itself from the consensus. Its decision not to request a vote on the draft decision was without prejudice to the views it had expressed in the Third Committee, where it had voted against draft resolution A/C.3/56/L.84/Rev.1.

30. **Mr. Orr** (Canada) said that his delegation had dissociated itself from all references in the Durban Declaration and Programme of Action, whether direct or indirect, to the situation in the Middle East. It had also dissociated itself from any language in draft resolution A/C.3/56/L.84/Rev.1 that could be construed as welcoming or endorsing or encouraging the implementation of provisions of the Declaration and Programme of Action to which Canada had not agreed. It was therefore unable to support any decision that might be interpreted as endorsing those documents in their entirety. At the same time, it believed that they contained helpful language and identified useful strategies for combating racism. It had therefore decided not to request a vote on the draft decision but instead to dissociate itself from the consensus.

31. **Ms. Silot Bravo** (Cuba) expressed satisfaction that the spirit of consensus had prevailed. The results of the Durban Conference were important for the whole Organization.

32. **Ms. Buchanan** (New Zealand) said that her delegation had been pleased to join the consensus on the draft decision and to support the provision of resources for the implementation of the Durban Programme of Action. She wished to recall, however, that New Zealand, along with Australia, had been excluded from the Asia and Pacific region preparatory meeting for the Durban Conference. Normal practice was to base participation in such regional events on membership of regional commissions, in New Zealand's case the Economic and Social Commission for Asia and the Pacific. Irrespective of the source of funding, should the regional meetings to be organized by the Anti-Discrimination Unit proceed, participation by Member States should reflect membership of regional commissions.

33. **Mr. Fox** (Australia) said that Australia was unequivocal in its opposition to racism in all its forms and was committed to strong action, both domestically and internationally, to address that problem. However, the concerns his delegation had expressed in Durban affected its views on how the international community should approach the implementation of the Durban Declaration and Programme of Action. As it had stated in the Third Committee, it could not support a text that endorsed without qualification the outcomes of the Durban Conference. Clearly, it was also unable to support the provision of resources for the full implementation of those outcomes.

34. Australia, which had been excluded from the preparatory process for the Durban Conference, agreed that the funds requested for the expenses related to follow-up regional meetings, which it did not regard as mandated, should not be approved. His delegation was concerned at the duplication of mechanisms relating to racism, given that there was already a special rapporteur on racism. In view of those considerations, it wished to dissociate itself from the consensus on the draft decision just adopted.

The meeting rose at 6.15 p.m.